

211569 Freeborn & Peters LLP

July 2, 2004

VIA FEDERAL EXPRESS

Mr. Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, DC 20423-0001



**Re: Surface Transportation Board Docket No. AB-6 (Sub-No. 401X);
The Burlington Northern and Santa Fe Railway Company Abandonment
of Des Moines, Iowa**

Attorneys at Law

311 South Wacker Drive
Suite 3000
Chicago, Illinois
60606-6677
Tel 312.360.6000

Brian Nettles
Paralegal
Direct 312.360.6336
Fax 312.360.6596
bnettl@
freebornpeters.com

Dear Secretary Williams:

Enclosed are ten copies plus the original affidavit of publication the Des Moines Register regarding the above abandonment.

Sincerely,

A handwritten signature in dark ink, appearing to read "Brian Nettles".

Brian Nettles

Chicago

Springfield

/bn
Enclosures

ENTERED
Office of Proceedings

JUL 14 2004

Part of
Public Record



AFFIDAVIT OF PUBLICATION

COPY OF ADVERTISEMENT
Exhibit "A"

R982 NOTICE OF INTENT TO
ABANDON

The Burlington Northern and Santa Fe Railway Company gives notice that on or after June 28, 2004, it intends to file with the Surface Transportation Board, Washington, DC 20423, an abandonment notice of exemption under 49 CFR 1152 Subpart F -- Exempt Abandonments permitting the abandonment of or discontinuance of service on 1.88 miles of railroad line between railroad Milepost 67.38 and Milepost 1.45 in Des Moines, Iowa, which line segment traverses through United States Postal Zip Code 50309 in Polk County, Iowa. There is an equation at Milepost 68.20 = Milepost 0.39. The proceeding will be docketed as No. AB-6 (Sub-No. 401X).

The Board's Section of Environmental Analyses (SEA) will generally prepare an Environmental Assessment (EA), which will normally be available 25 days after the filing of the notice of exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to the Section of Environmental Analysis, Surface Transportation Board, 1925 K Street, N.W., Washington, DC 20423-0001 or by calling that office at 202-565-1538.

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/trails use also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails use, public use, and offers of financial assistance) must be filed directly with the Board's Office of the Secretary, 1925 K Street, N.W., Washington DC 20423-0001 [See 49 CFR 1104.1(a) and 1104.3(a)], and one copy must be served on applicants' representative [See 49 CFR 1104.12(a)]. Questions regarding offers of financial assistance, public use or trails use may be directed to the Board's Office of Public Services at 202-565-1592. Copies of any comments or requests for conditions should be served on the applicant's representative Michael Smith, Freeborn & Peters, 311 S. Wacker Drive, Suite 3000, Chicago, Illinois 60606-6677 - telephone (312) 360-6724.

STATE OF IOWA

SS

COUNTY OF POLK

The undersigned, being first duly sworn on oath, states that she/he is the

Accounting Specialist [Signature]

of The Des Moines Register and Tribune Company, a corporation duly organized and existing under the laws of the State of Iowa, with its principal place of business in Des Moines, Iowa, the publisher of

THE DES MOINES REGISTER (Daily)

DES MOINES SUNDAY REGISTER

newspapers of general circulation printed and published in the City of Des Moines, Polk County, Iowa, and that an advertisement, a printed copy of which is attached as Exhibit "A" and made a part of this affidavit, was printed and published in The Des Moines Register (daily) on the following dates

06/22/04

Subscribed and sworn to before me by said affiant this 23rd day of June

2004

[Signature]
Notary Public in and for Polk County, Iowa

Notarial Seal - Iowa

Commission # 223923

My Commission Expires 8-1-05

street address: 715 Locust Street, Des Moines, IA 50309 • mailing address: P.O. Box 957, Des Moines, IA 50304 • (515) 284-8000

